



## Ohio Administrative Code Rule 5139-67-01 Definitions.

Effective: February 1, 2019

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For the purpose of implementing Chapter 5139-67 of the Administrative Code, the following terms have the following definitions:

- (A) "Activity purpose categories" means the categories established by the department from which programs and services are developed and data reported.
- (B) "Administrative costs" means those costs related to the overall administration of the grant.
- (C) "Base allocation" means the amount of state subsidy grant (youth services grant) funds a county will be eligible to receive, based on the formula found in section 5139.34 of the Revised Code.
- (D) "Capital construction projects" means the acquisition, construction, reconstruction, rehabilitation, remodeling, renovation, enlargement or improvement of capital facilities as defined in section 154.01 of the Revised Code.
- (E) "Chargeable bed days" means the number of bed days in an institution or community corrections facility for which reductions are made in the computation of the court's variable allocation; these do not include bed days which fall under the definition of public safety beds in section 5139.01 of the Revised Code; these do include the first five days of a youth's absence from an institution of the department or a community corrections facility.
- (F) "Commitment" means the transfer of the physical and legal custody of a youth who is at least ten years of age but less than eighteen years of age from the court to the department for having committed an act that, if committed by an adult, would be a felony.
- (G) "Community corrections facility" means a state funded facility operated for the sole purpose of providing treatment and rehabilitation to juvenile felony delinquents in lieu of a commitment to the department, as defined in section 5139.36 of the Revised Code.



(H) "Department" means the Ohio department of youth services.

(I) "Fair market value" means the cost of equipment, property, or services which would be paid by a prudent buyer in a given community. Prudence is based on comparison shopping and selection. Payment rates should conform closely to the going rate in the community for a given service.

(J) "Felony delinquent" means any child who is adjudicated a delinquent for having committed an act that, if committed by an adult, would be a felony. This includes any adult who is between the ages of eighteen and twenty-one and who is in the legal custody of the department for having committed an act as a Juvenile that, if committed by an adult, would be a felony.

(K) "Felony delinquent care and custody fund (FDCC)" means the fund into which "Reclaim Ohio" (variable allocation) and youth services grant funds (base allocation) are deposited and from which they are disbursed.

(L) "Fiscal agent" means the county fiscal representative responsible for oversight of department grant funds.

(M) "Fiscal year" means the state fiscal year period of July first through June thirtieth.

(N) "Funding application" means a document completed by a county/juvenile court which reflects projected expenditures according to the established program categories in standard budget categories and is used to allocate and disburse funds under sections 5139.34 and 5139.43 of the Revised Code.

(O) "Grant" means funds disbursed to the counties in accordance with sections 5139.34 and 5139.43 of the Revised Code.

(P) "Indirect cost" means a fixed charge by the county for handling the grant and providing payroll and other related services;

(Q) "Institution" means a state facility created by the general assembly that is under the management



and control of the department or a private facility with which the department has contracted for the institutional care and custody of felony delinquents, except for youth placed in accordance with section 5139.38 of the Revised Code.

(R) "Minority youth" means any youth that is not caucasian.

(S) "Program amendment" means a programmatic or budgetary change in a program.

(T) "Public safety beds" means a county's variable allocation is not adversely affected by bed days for any youth who are committed for a category I or II offense (aggravated murder, attempted aggravated murder, murder, attempted murder, kidnapping, rape, voluntary manslaughter, involuntary manslaughter (F1), and aggravated arson) as defined in sections 2151.26 and 5139.01 of the Revised Code with the exception of aggravated burglary and aggravated robbery; felony delinquents who are subject to and serving a three year period of commitment pursuant to divisions (A) and (B) of section 2152.17 of the Revised Code for an act other than a violation of section 2911.11 of the Revised Code that would be a category I or II offense; felony delinquents committed to the department by the juvenile court of a county that has had one-tenth of one per cent or less of the statewide adjudications for felony delinquents as averaged for the past ten fiscal years for which data is available and who are in the custody of an institution or a community corrections facility; youth adjudicated and recommitted for the commission of an offense committed while in a department institution; youth serving disciplinary time as defined in section 5139.01 of the Revised Code; or youth who have violated the terms and conditions of their supervised release, have had that release revoked, and are serving time beyond the initial thirty day period of institutionalization as defined in section 5139.01 of the Revised Code.

(U) "Recommitment" means the commitment for a new period of incarceration in an institution for a youth who is already in the legal custody of the department.

(V) "Revocation" means the legal process through which a juvenile court returns a youth, who has violated the post-release terms and conditions, to the department for institutionalization pursuant to the applicable divisions of section 5139.52 of the Revised Code.

(W) "Supplanting" means using grant funds to take the place of county money to fund the juvenile



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court's budget or related programs. Funds must be used to increase or enhance services to youth, and may not be used to pay for services which are already provided with county funds. Local funds for these services may not be decreased as a result of these grant funds.

(X) "Variable allocation" means the "Reclaim Ohio" allocation.